

BEFORE THE  
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF: )  
 )  
R.H. DONNELLEY, ) No. 07-0434  
 )  
Petition for Variance of )  
Section 735.180 of the )  
Illinois Administrative Code )

Chicago, Illinois  
September 21, 2007

Met, pursuant to notice, at Chicago.

BEFORE:

GLENNON P. DOLAN, Administrative Law Judge

APPEARANCES :

SONNENSCHN, NATH & ROSENTHAL, by  
MR. PHILIP A. CASEY  
233 South Wacker Drive  
Suite 8000  
Chicago, Illinois 60606  
(312) 876-8000  
for R.H. Donnelley

ILLINOIS COMMERCE COMMISSION, by  
MR. MATTHEW L. HARVEY  
160 North LaSalle Street  
Suite C-800  
Chicago, Illinois 60601  
(312) 793-2877  
for Staff.

SULLIVAN REPORTING COMPANY, by  
Alisa A. Obecnny, CSR  
License No. 084-004588

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I N D E X

<u>Witnesses:</u>	<u>Direct</u>	<u>Cross</u>	<u>Re- direct</u>	<u>Re- cross</u>	<u>By Examiner</u>
None .					

E X H I B I T S

<u>Number</u>	<u>For Identification</u>	<u>In Evidence</u>
None .		

1 JUDGE DOLAN: By the direction and authority of  
2 the Illinois Commerce Commission I call Docket No.  
3 07-0434, R.H. Donnelley, a petition for variance of  
4 Section 735.180 of the Illinois Administrative Code  
5 to order.

6 Will the parties please identify  
7 themselves for the record.

8 MR. CASEY: On behalf of H.R. Donnelley, Philip  
9 A. Casey, Sonnenschein Nath and Rosenthal, 233 South  
10 Wacker Drive, Suite 7800, Chicago, Illinois 60606.

11 MR. HARVEY: Appearing for the Staff of the  
12 Illinois Commerce Commission, Matthew L. Harvey, 160  
13 North LaSalle Street, Suite C-800, Chicago Illinois,  
14 60601.

15 JUDGE DOLAN: I also just -- I think for the  
16 record let's represent that both Jack Pace, P-a-c-e,  
17 and Susan Satter both had an agreement that they were  
18 not going to appear for the status of today.

19 MR. CASEY: Your Honor, that's correct. I  
20 spoke with Mr. Pace and Miss Satter today -- Miss  
21 Satter yesterday. And based on certain agreements  
22 regarding the subject matter of this proceeding they

1     had no objection to continuing this matter for an  
2     additional status to try to -- in an effort to give  
3     the parties time to review a written -- written  
4     agreements or written --

5             JUDGE DOLAN:   Proposals.

6             MR. CASEY:   -- statements made by the I  
7     parties.

8             JUDGE DOLAN:   All right.   And with that, no  
9     other appearances are for the record.

10             And Mr. Casey, do you want to explain  
11     your agreement.

12             MR. CASEY:   Along those lines, your Honor, last  
13     time we appeared before you, your Honor gave us an  
14     opportunity to have a settlement conference.   We did  
15     have that conference, however we were missing one  
16     person.   But subsequent to that conference I was able  
17     to discuss resolution with Miss Satter from the  
18     Attorney General Office.   But based on that  
19     discussion we have reached several oral agreements  
20     which we believe will resolve this proceeding.

21             I've tried to capture those agreements  
22     in writing and then forward those to Mr. Harvey.   One

1 of the things that we also spoke to you about is  
2 procedurally how we would handle going forward in the  
3 event we were able to resolve the concerns. And one  
4 of those ways would be incorporation of those  
5 agreements into a Staff verified statement.

6 Mr. Harvey is committed to  
7 incorporating those agreements into the statement and  
8 is committed to circulate a draft of that for the  
9 parties' review. Assuming everyone's fine with how  
10 they're incorporated we'll ask that your Honor mark  
11 this matter heard and taken at the next status and  
12 enter Staff's verified statement as well as the  
13 testimony of R.H. Donnelley's witness into the record  
14 at that next status.

15 We've looked to continue this matter  
16 till next Wednesday at 9:30 a.m.

17 JUDGE DOLAN: Is that you're understanding?

18 MR. HARVEY: That is my understanding as well,  
19 your Honor, and it's satisfactory to Staff.

20 JUDGE DOLAN: Okay. Then with that, we will be  
21 entered and continued until September 26, 2007, at  
22 9:30 a.m.

1           MR. HARVEY:   Thank you very much, your Honor.

2                               (Whereupon, the above-entitled  
3                               matter was continued to  
4                               September 26, 2007, at  
5                               9:30 a.m.)

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